SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: SECOND DEPARTMENT

MELVYN KAUFMAN,

Plaintiff-Appellant,

- against -

ANNE FASS, DAVID FASS, HOULIHAN LAWRENCE INC., BURBANK WHITTEMORE INC., & EDGEWATER POINT PROPERTY OWNER'S ASSOCIATION, INC.,

Defendants-Respondents.

NOTICE OF ENTRY

Docket No.: 2001-08160

(Index No.: 13475/00)

SIRS:

PLEASE TAKE NOTICE, that annexed hereto is a true copy of a Decision and Order of the Appellate Division — Second Department, which was duly entered with the Clerk of said Court on April 30, 2003.

Dated: White Plains, New York
July 8, 2003

BLEAKLEY PLATT & SCHMIDT, LLP

By: /s/ William H. Mulligan, Jr.
William H. Mulligan, Jr.
Attorneys for Defendants-Respondents
One North Lexington Avenue
P.O. Box 5056
White Plains, NY 10602-5056
(914) 949-2700

TO: Kucker & Bruh, LLP
Attorneys for Plaintiff-Appellant
36 West 44th Street, Suite 415
New York, NY 10036

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : SECOND JUDICIAL DEPARTMENT

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A/sl

FRED T. SANTUCCI, J.P.
GABRIEL M. KRAUSMAN
THOMAS A. ADAMS
STEPHEN G. CRANE, JJ.

2001-08160

Melvyn Kaufman, appellant, v Anne Fass, et al., respondents.

DECISION & ORDER ON MOTION

(Index No. 00-13475)

Motion by the appellant for leave to reargue an appeal from an order of the Supreme Court, Westchester County, entered July 2, 2001, which was determined by decision and order of this court dated February 18, 2003, or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this court.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied, with $100 costs.

SANTUCCI, J.P., KRAUSMAN, ADAMS and CRANE, JJ., concur.

ENTER:

James Edward Pelzer
Clerk

April 30, 2003

KAUFMAN v FASS